



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 6

**1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733**

July 2, 2014

Dr. George C. Nield
Associate Administrator for
Commercial Space Transportation
Federal Aviation Administration
800 Independence Ave, SW
Suite 325
Washington, DC 20591

RE: Space X Texas Launch Site Final Environmental Impact Statement (FEIS)

Dear Dr. Nield:

In accordance with our responsibilities under Section 309 of the Clean Air Act (CAA), the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Final Environmental Impact Statement (FEIS) prepared by the U.S. Federal Aviation Administration (FAA) for the Space X Texas Launch Site, Cameron County, Texas. The National Park Service (NPS), U.S. White Sands Missile Range (WSMR), and the U.S. Army Corps of Engineers (USACE) are cooperating agencies in the preparation of this NEPA document.

EPA provided comments on the Draft Environmental Impact Statement (DEIS) dated June 12, 2013, in which the DEIS was rated as "EO-2", i.e., "Environmental Objections--And Requests Additional Information". The "EO" rating was based on potential impacts to special aquatic sites or aquatic resources of national importance and the lack of appropriate compensatory mitigation. The "2" indicated the DEIS did not contain sufficient information in the areas of air quality, mitigation, wetlands, alternatives analysis, environmental justice and tribal consultation.


Upon review of the FEIS, EPA is pleased that the FEIS included additional analysis of the proposed action to address these concerns. *Volume II, Appendix A, Section 3.0*, of the FEIS provides extensive discussion on the issues raised and identifies in detail the measures to be taken by FAA to address EPA's and other commenters' concerns. The FEIS also includes measures and mitigation plans to be taken to avoid, minimize, and/or mitigate the unavoidable project impacts. In response our request, EPA notes that a wetland compensatory mitigation plan has been provided in Appendix M of the FEIS.

The FEIS states FAA has agreed that both the wetland Section 404 permitting and Section 404(q) dispute resolution process will involve more detailed design information not available from the EIS process. FAA also stated in the FEIS that the impacts documented in the

permitting phase would have to be equal or less than what is considered in the Final EIS. As such, the FAA believes the Final EIS may need to be supplemented if substantial changes to the project design occur prior to or after the issuance of the Record of Decision. Therefore, until the resolution process has been completed it is not certain if additional analysis will be needed. EPA has no further comments to offer on the FEIS at this time pending the conclusions reached under the Section 404 permitting and Section 404(q) dispute resolution process. If the FEIS is supplemented, EPA will be required under Section 309 of the Clean Air Act to review this document at the draft supplemental stage and comment as appropriate.

EPA appreciates the opportunity to review the FEIS. If you have any questions or concerns, please contact me or Michael Jansky of my staff at (214) 665-7505 or (214) 665-7451 or via email at weeks.craig@epa.gov or jansky.michael@epa.gov respectively, for assistance.

Sincerely,

for 
Craig Weeks
Acting Chief, Office of Planning and
Coordination